



April 28, 2014

VIA ECF

The Honorable Lorna G. Schofield
U.S. District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

Eduardo J. Glas
Partner
T. 212.609.6844
F. 212.416.5158
eglas@mccarter.com

Re: Capital One National Association v. 48-52 Franklin, LLC et al. (Civil Action No. 12-CV-3366)

Dear Judge Schofield:

McCarter & English, LLP
245 Park Avenue
27th Floor
New York, NY 10167-0001
T. 212.609.6800
F. 212.609.6921
www.mccarter.com

We represent Capital One in the above referenced commercial foreclosure case. On April 8, 2014, the Court issued an Opinion and Order (the "Order") granting partial summary judgment to Capital One on its claim for foreclosure of mortgage. On April 10, 2014, Capital One wrote to the Court to request the appointment of a referee to have the property subject to the mortgages being foreclosed sold at auction. On April 22, 2014, the Court directed Capital One to select a fiduciary from the list kept by the New York State Courts as a proposed referee. We write in connection with the April 22, 2014, directive.

Capital One respectfully requests that Mr. Joel E. Abramson, Esq., be appointed as referee to sell the property at issue in this matter. Mr. Abramson is currently in the list of fiduciaries kept by the New York State Courts. He is a graduate of Columbia College, the Columbia Graduate School of Economics, and New York University School of Law. As an attorney, Mr. Abramson is a member of the New York State Bar and the District of Columbia. He is also admitted to practice in several Federal Courts, including the U.S. Supreme Court and the U.S. District Court for the Southern District of New York. He has been a fiduciary for the New York State Courts for more than 30 years. As such, he has acted as referee, presiding over the sale of properties in at least twenty occasions. A more detailed description of Mr. Abramson's qualifications as related in a series of emails between him and Capital One's counsel is attached hereto as Exhibit A for the Court's convenience. We submit that Mr. Abramson is qualified to act as referee in this matter and respectfully request that the Court appoint him in that capacity.

BOSTON

HARTFORD

NEW YORK

NEWARK

PHILADELPHIA

STAMFORD

WASHINGTON, DC

WILMINGTON

The Honorable Lorna G. Schofield
April 28, 2014
Page 2

Respectfully,

s/ Eduardo J. Glas

Eduardo J. Glas

cc Abraham Hoschander, Esq. (via ECF)
Joel E. Abramson, Esq. (via email)

EJG:mmp

EXHIBIT A

Glas, Eduardo J.

From: Joel Abramson <jea.law@gmail.com>
Sent: Friday, April 25, 2014 1:23 PM
To: Glas, Eduardo J.
Subject: 48-52 Franklin

Dear Mr. Glas:

In response to your follow-up email, I am providing the information set forth below.

I have been in practice since 1969. I am admitted to the Bars of New York State, the District of Columbia, and several Federal Courts including the U.S. Supreme Court and the U.S. District Court for the Southern District of New York.

My B.A. from Columbia College was in 1964, my M.A. from the Columbia Graduate School of Economics was in 1966, and my J.D. from NYU Law School was in 1969.

I was an attorney with the SEC in Washington D.C. from 1969 through 1973 and with Phillips, Nizer in New York City for the period of 1973-1977.

My Bar leadership activities are current; I hold the positions set forth currently.

I have been appointed as a Fiduciary in the New York State Court System for over 30 years. I served as a referee for sale at least 20 times and as a referee for computation at least 50 times.

Hopefully, the above (together with my prior email) provides the information that you requested.

If you need any further information, I am more than happy to provide it.

Thank you again for suggesting my service as a referee for sale.

Sincerely yours,

Joel E. Abramson

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Joel E. Abramson, Esq.
Joel E. Abramson, P.C.
271 Madison Avenue
22nd Floor
New York, N.Y. 10016
(212) 599-7700

Glas, Eduardo J.

From: Joel Abramson <jea.law@gmail.com>
Sent: Friday, April 25, 2014 11:33 AM
To: Glas, Eduardo J.
Subject: 48-52 Franklin

Dear Mr. Glas:

Thank you for suggesting that I serve as referee in a pending foreclosure case in the U.S. District Court for the Southern District of New York.

I was appointed as a Fiduciary of the State of New York Unified Court System many years ago, and I have repeatedly been appointed by several Justices of the Supreme Court of the State of New York to serve as a referee (both for computation and for the foreclosure sale of real property), and to serve as a receiver managing buildings. I respectfully submit that my extensive experience serving as a referee well qualifies me to serve as a referee in the pending matter. My serving as a Fiduciary is within the context of my private law practice in the areas of real estate and business transactions and litigation.

A brief précis of my background is set forth below.

EDUCATION

Columbia College – B.A.
Columbia University Graduate School of Arts and Sciences – M.A. (Economics)
New York University School of Law – J.D.

PREVIOUS POSITIONS

SEC – Washington, D.C.
Phillips, Nizer – New York, New York

BAR ACTIVITIES

Treasurer – New York State Bar Association, General Practice Section
Finance Committee – New York County Lawyers' Association

Please contact me if you need any further information from me.

I hope that I will have the opportunity to serve as referee in the pending foreclosure matter, and I thank you for suggesting that I fill this position.

Sincerely yours,

Joel E. Abramson

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